

Rule 229. Proposed jury instructions

~~(a) [Citation of authorities] Each proposed jury instruction presented by a party, except instructions requested by number reference to forms previously approved by the court, must contain at the bottom a citation of authorities, if any, supporting the statement of law in the instruction.~~

(a) [Application]

(1) This rule applies to proposed jury instructions that a party submits to the court, including:

(A) “approved jury instructions,” meaning jury instructions approved by the Judicial Council of California or criminal jury instructions approved by the Committee on Standard Jury Instructions, Criminal, of the Superior Court of Los Angeles County; and

(B) “special jury instructions,” meaning instructions from other sources, those specially prepared by the party, or approved instructions that have been substantially modified by the party.

(2) This rule does not apply to the form or format of the instructions presented to the jury, which is a matter left to the discretion of the court.

(Subd (a) amended effective January 1, 2003; previously amended effective January 1, 2003.)

(b) [Form and format of proposed instructions] ~~Except as to such approved forms, each proposed instruction must be in the form specified by rule 201, indicating the party upon whose behalf it is requested. Instructions must be numbered consecutively, but not firmly bound together.~~

(1) All proposed instructions must be submitted to the court in the form and format prescribed for papers in rule 201.

(2) Each set of proposed jury instructions must have a cover page, containing the caption of the case and stating the name of the party proposing the instructions, and an index listing all the proposed instructions.

(3) In the index, approved jury instructions must be identified by their reference numbers and special jury instructions must be numbered consecutively. The index must contain a checklist that the court may use to indicate whether the instruction was:

(A) given as proposed;

(B) given as modified;

(C) refused; or

(D) withdrawn.

(4) Each set of proposed jury instructions must be bound loosely.

(Subd (b) amended effective January 1, 2004; previously amended effective January 1, 2003 and July 1, 1988.)

~~(e) **[Refusing proposed instructions]** Proposed instructions, except those required by law, which do not comply with this rule or with law may be refused, in which event the judge must endorse on the proposed instruction the reason for its refusal.~~

(c) **[Format of each proposed instruction]** Each proposed instruction must:

(1) be on a separate page or pages;

(2) contain the instruction number and title of the instruction at the top of the first page of the instruction; and

(3) be prepared without any blank lines or unused bracketed portions, so that it can be read directly to the jury.

(Subd (c) amended effective January 1, 2004; previously amended effective January 1, 2003, April 1, 1962, and July 1, 1988.)

(d) **[Citation of authorities]** For each special instruction, a citation of authorities that support the instruction must be included at the bottom of the page. No citation is required for approved instructions.

(Subd. (d) adopted effective January 1, 2004.)

(e) **[Form and format are exclusive]** No local court form or rule for the filing or submission of proposed jury instructions may require that the instructions be submitted in any manner other than as prescribed by this rule.

(Subd (e) adopted effective January 1, 2004.)

Rule 229 amended effective January 1, 2004; adopted effective January 1, 1949; previously amended effective April 1, 1962, July 1, 1988, and January 1, 2003.

Advisory Committee Comment

This rule does not preclude a judge from requiring the parties in an individual case to transmit the jury instructions to the court electronically.